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July 18, 2003

Dear County Superintendents, District Superintendents, and Charter School Principals

**TITLE I PROGRAM IMPROVEMENT:
THE CONSEQUENCES OF NOT MAKING
ADEQUATE YEARLY PROGRESS**

On June 10, 2003, the U.S. Department of Education approved California's Accountability Workbook for No Child Left Behind (NCLB). The tenets outlined in the Workbook will drive the accountability system in California for the foreseeable future. This letter and enclosed attachments provide information about how the implementation of the new federal accountability system will affect districts and schools receiving Title I funds, specifically with regard to Program Improvement. (California's Accountability Workbook can be viewed at <http://www.cde.ca.gov/pr/nclb/workbook/wb6061.html>.)

This letter and attachments include information in three major areas:

- The impact of the new definition of Adequate Yearly Progress (AYP)
- A timeline for the release of the Title I AYP Report (see Appendix A)
- The appeal process for Program Improvement (PI) schools (see Appendix B)

New Definition of AYP for Title I Schools and Districts

In January 2003, the California State Board of Education adopted a new definition of AYP for our state in response to the new federal law. All schools (including charter, alternative, and small schools), districts, and numerically significant subgroups are required to make AYP each year. On July 11, 2003, a letter was sent to you containing specific information regarding this new definition and what it means for California's schools and districts.

As highlighted in the July 11 letter, California's new definition of AYP includes four components. In order for any school or district to make AYP for 2003, **the school or district must have:**

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1. a sufficient proportion of its students performing at or above the proficient level on the statewide assessments (English-language arts [ELA] and mathematics), overall and for each significant subgroup;
2. at least a 95% student participation rate in the statewide assessments, overall and for each significant subgroup;
3. a 2003 Growth API score of 560 or more or at least one point of growth;
4. for high schools only and for districts with high school students – a graduation rate that increases one-tenth of one percent each year until the school reaches 100 percent.

Determining PI Status Based on 2002 and 2003 AYP

A Title I **school** that does not make AYP in 2002 and 2003 will be identified as a new PI school for the 2003-04 school year. Each newly identified PI school must offer school choice and meet other specific NCLB requirements beginning with the 2003-04 school year.

The new law also specifies that if a **district** does not meet AYP for two consecutive years, it must be identified as a PI district. California has proposed that for districts, 2003 will serve as the base year for making AYP. This means that districts failing to make AYP in 2003 (as indicated in the data to be released on August 15, 2003) and again in 2004 will be identified as a PI district next year. More information about PI districts is forthcoming.

Timeline for Notifying Title I Schools and Districts of AYP Status

Appendix A describes the timeline for the reporting of the 2002 and 2003 AYP status of all Title I schools, including new and existing PI schools. The 2003 data for the AYP components will be released in three phases – in August, October, and December 2003. The Title I AYP Report will be updated after each release. New, advancing, and PI schools remaining in place must move immediately to implement the requirements of NCLB as appropriate.

2002 BASE AYP Reports and Training Video

CDE will post the 2002 Base AYP School and District reports using 2002 testing data on the Internet on July 22, 2003. The information indicates how Title I schools are performing under the new definition of AYP. **This will allow districts to determine if:**

- their Title I schools are at risk of being identified as PI in the August 2003 AYP Report
- their existing PI schools will remain in place or advance to a new level under NCLB, with additional requirements to meet per the law

The results of the 2002 Base AYP Reports provide a district with **advance** notice for planning and preparation for possible PI identification and implementation. Examples of such preparation include drafting a parent notification letter, identifying the school choice options within the district, or investigating the availability of supplemental educational services providers to offer tutoring services to eligible students.

To support the release of the 2002 Base AYP data, CDE has sent a training video to you. This video explains AYP, the consequences of not making AYP for Title I schools and districts (i.e., Program Improvement), and addresses frequently asked questions.

In addition to the video, information about AYP and PI will be provided in the "2002 Base AYP Information Guide." The Guide has been posted since July 16 on the CDE Web site at <<http://www.cde.ca.gov/ayp>>. Finally, an advisory sent to counties, districts, and charter school principals on July 18 will detail procedures for accessing the reports on July 22.

Appeal Process for Title I Program Improvement Schools

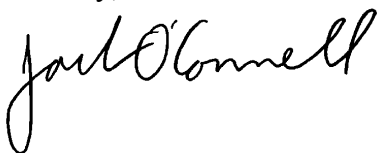
A district (on behalf of a school) or a direct-funded charter may appeal a school's PI status. Appeals can be made on the basis of evidence that a school was identified or advanced because of a statistical error or other substantive reason. The appeal process is described in **Appendix B**.

Contact Information

Questions about Program Improvement should be addressed to the Title I Policy and Partnerships Office at (916) 319-0854 or <pi@cde.ca.gov>. Questions about NCLB requirements for AYP should be addressed to the Evaluation Unit at (916) 319-0875 or <epic@cde.ca.gov>. Questions related to AYP Reports or the API should be addressed to the EPIC Unit at (916) 319-0863 or <epic@cde.ca.gov>.

Thank you for your continued dedication to the students of this state. I look forward to working closely with you as we strive to meet the challenges and demands of the new federal accountability system.

Sincerely,

A handwritten signature in black ink that reads "Jack O'Connell". The signature is written in a cursive, flowing style.

JACK O'CONNELL